

BOARD OF APPEAL REFERRALS

AUGUST 20, 1981

4108

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MEMORANDUM

AUGUST 20, 1981

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 8/25/81

Three-story structure.

Z-5279-5280

J & J Realty Trust

370-372 Bunker Hill St., Charlestown,
at Auburn St.

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy of two structures from three-family dwellings
to four apartments respectively.

Violation(s):
Section

- 8-7 Any dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1 District.
- 14-2 Lot area is insufficient.
- 15-1 Floor area is excessive.
- 17-1 Open space is insufficient.

Occupancies existing. Additional apartments are located in basements.
Neighborhood response is favorable. Recommend approval.

VOTED: In reference to Petitions Z-5279-5280 brought by J & J Realty Trust, 370-372 Bunker Hill St., Charlestown, for two forbidden uses and six variances for change of occupancy of two structures from three family dwellings to four apartments in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval. Existing occupancies consistent with Residential District. Additional apartments are located in basements. Doherty Park is opposite site. Neighborhood response is favorable.



Z-5279-80

370-372 BUNKER HILL ST
(CHSN)

8/20/81

Z-5281

Clementina M. Auciello
64 Lincoln St., Brighton
at Portsmouth St.

Hearing: 8/25/81.

One-story structure.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from bakery to light manufacturing;
erect one-story addition.

Violation(s):
Section

- 8-7. Manufacture of small metal parts is forbidden in an L-1 District.
20-1. Rear yard is insufficient.

Site, formerly an iron works, has been used industrially for the last ten years. Present tenant manufactures four inch square sound deadeners for heavy machinery. Addition will provide loading bay-garage. Proposal is compatible with the commercial-small industrial character of Lincoln Street.
Recommend approval with provisos.

VOTED: In reference to Petition Z-5281 brought by Clementina M. Auciello, 64 Lincoln St., Brighton, for a forbidden use and variance for change of occupancy from bakery to light manufacturing and erect a one-story addition in a Local Business (L-1) District, the Boston Redevelopment Authority recommends approval with the following provisos: that adequate fencing-landscaping be provided along rear yard abutting residential property on Portsmouth Street; that access and egress be on Lincoln Street; that plans be submitted for design review. Site formerly an iron works, has been used industrially for the last ten years. Present tenant manufactures four inch square sound deadeners for heavy machinery. Addition will provide loading bay-garage. Proposal is compatible with the commercial-small industrial character of Lincoln Street.



Z-5281

64 LINCOLN ST.
(BRI.)

Board of Appeal Referrals

8/20/81

Z-5295

Madeline Cashman
167a-167 M St., So. Boston
at East Seventh St.

Hearing: 8/25/81.

Three-story structure.

District(s):	apartment <u>H-1-50</u>	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Change occupancy from two family dwelling and store to six apartments.

Violation(s):

Section

- 8-7. Any dwelling converted for more families which does not meet the requirements of lot area, open space and off-street parking is forbidden in an H-1-50 District.
- 14-2 Lot area is insufficient.
- 17-1 Open space is insufficient.
- 23-1 Off-street parking is insufficient.

Building is presently vacant and boarded. Petitioner proposes to create two apartments on each floor.

Neighborhood is primarily composed of three family structures with some two familys. Although abutters and neighbors are anxious to have the property rehabilitated and occupied they consider the proposal excessive and contrary to existing residential character. Three-family dwelling with exterior design review would be supported - renovating existing single apartments and converting first floor commercial space to residential unit. Recommend denial as submitted.

VOTED: In reference to Petition Z-5295, brought by Madeline Cashman, 167a-167 M St., South Boston, for a forbidden use and three variances for change of occupancy from two family dwelling and store to six apartments in an Apartment (H-1-50) District, the Boston Redevelopment Authority recommends denial as submitted. Building is presently vacant and boarded. Neighborhood is primarily composed of three-family structures with some two familys. Although abutters and neighbors are anxious to have the property rehabilitated and occupied they consider the proposal excessive and contrary to existing residential character. Three-family dwelling with exterior design review would be supported - renovating existing single apartments and converting first floor commercial space to residential unit.



Z-5295
167(A)-167 M STREET
(S.B.)

Board of Appeal Referrals

8/20/81

Z-5304

Urban Ministries of the
Assemblies of God, Inc.
34 Peter Parley Rd., Jamaica Plain
near Forest Hills St.

Hearing: 9/15/81

2 1/2 story structure.

District(s):	apartment _____	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family <u>S-.5</u>		manufacturing _____

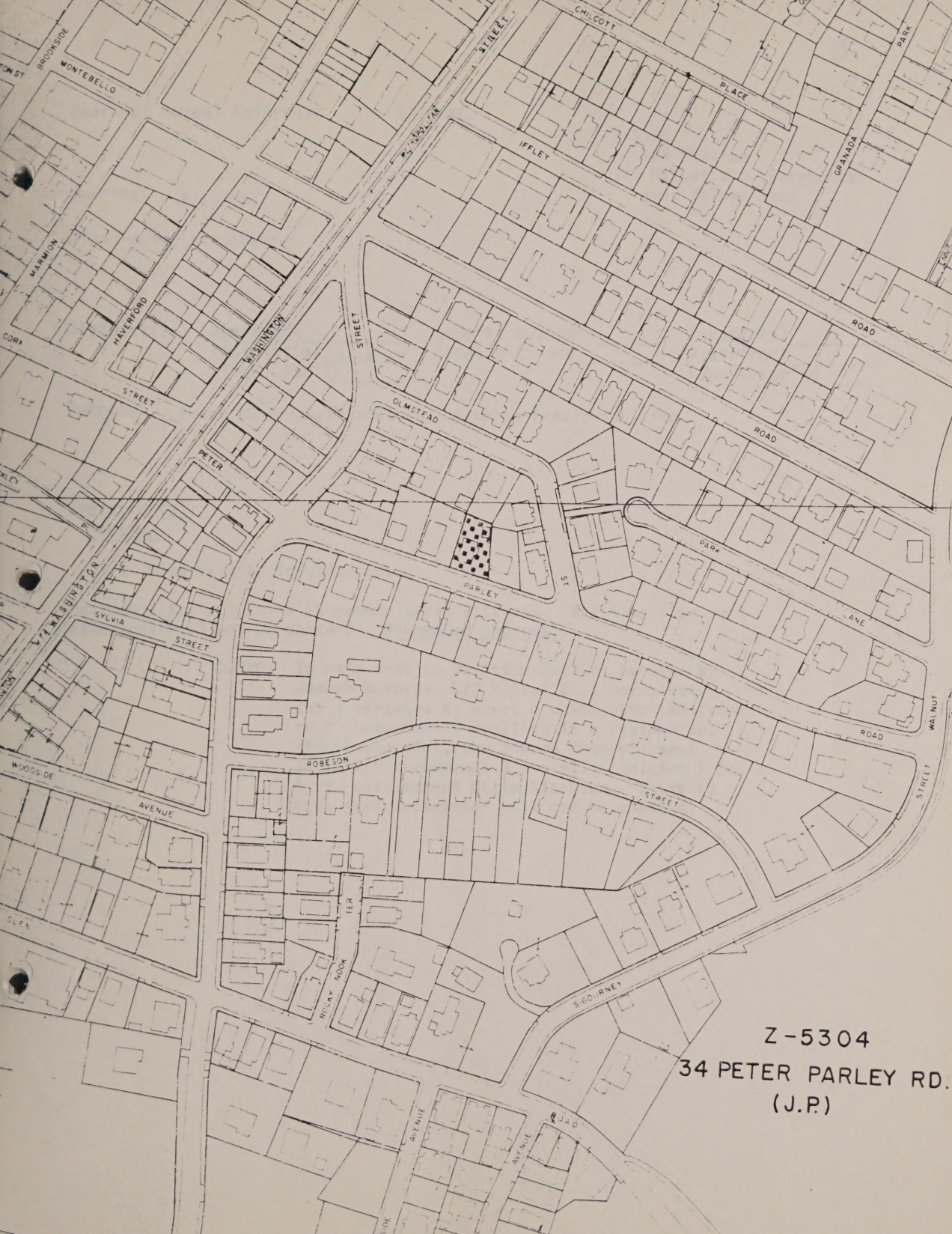
Purpose: Erect 2 1/2 story addition; increase capacity of day care center
from 38 to 59 children.

Violation(s):
Section

- 8-7 Day care center for 59 children is conditional in an S-.5 District.
- 14-2 Lot area is insufficient.
- 15-1 Floor area ratio is insufficient.
- 19-1 Side yard is insufficient.
- 20-1 Rear yard is insufficient.

Expansion will provide 1872 square feet of floor space. There is a significant need for the low cost infant and toddler program offered by the "Wee Care" day care facility. Transportation will be provided for additional children. Some residents have expressed concern about design. Recommend approval with provisos.

VOTED: In reference to Petition Z-5304, brought by Urban Ministries of the Assemblies of God, Inc. 34 Peter Parley Rd., Jamaica Plain, for a conditional use and three variances to erect a 2 1/2 story addition and increase capacity of day care center from 38 to 59 children in a Single Family (S-.5) District, the Boston Redevelopment Authority recommends approval with the following provisos: that transportation be provided for all children; that plans be submitted for design review. There is a significant need for the low cost infant and toddler program offered by the "Wee Care" facility.



Z-5304
34 PETER PARLEY RD.
(J.P.)

Board of Appeal Referrals

8/20/81.

Z-5308

Joseph Messina

123 Millet St., Dorchester
near Talbot Ave.

Hearing: 8/25/81.

Three-story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.8</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Erect three-story addition to three-family dwelling.

Violation(s):
Section

19-1 Side yard is insufficient.

Addition 7 ft. x 5 ft. will extend three kitchens. Existing side yard deficiency will not be changed. Recommend approval.

VOTED: In reference to Petition Z-5308, brought by Joseph Messina, 123 Millet St., Dorchester, for a variance to erect a three-story addition to a three-family dwelling in a Residential (R-.8) District, the Boston Redevelopment Authority recommends approval. Addition 7 ft. x 5 ft. will extend three kitchens. Existing side yard deficiency will not be changed.



ST. MARY'S
CEMETERY

123 MILLET ST
2-5308
(DOR)

Board of Appeal Referrals 8/20/81

Z-5309-5310
Donald Corey, Trustee
63-69 Northampton St. &
691-697-697(r) Massachusetts Ave.,
Boston

Hearing: 9/1/81.

Parking lot.

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

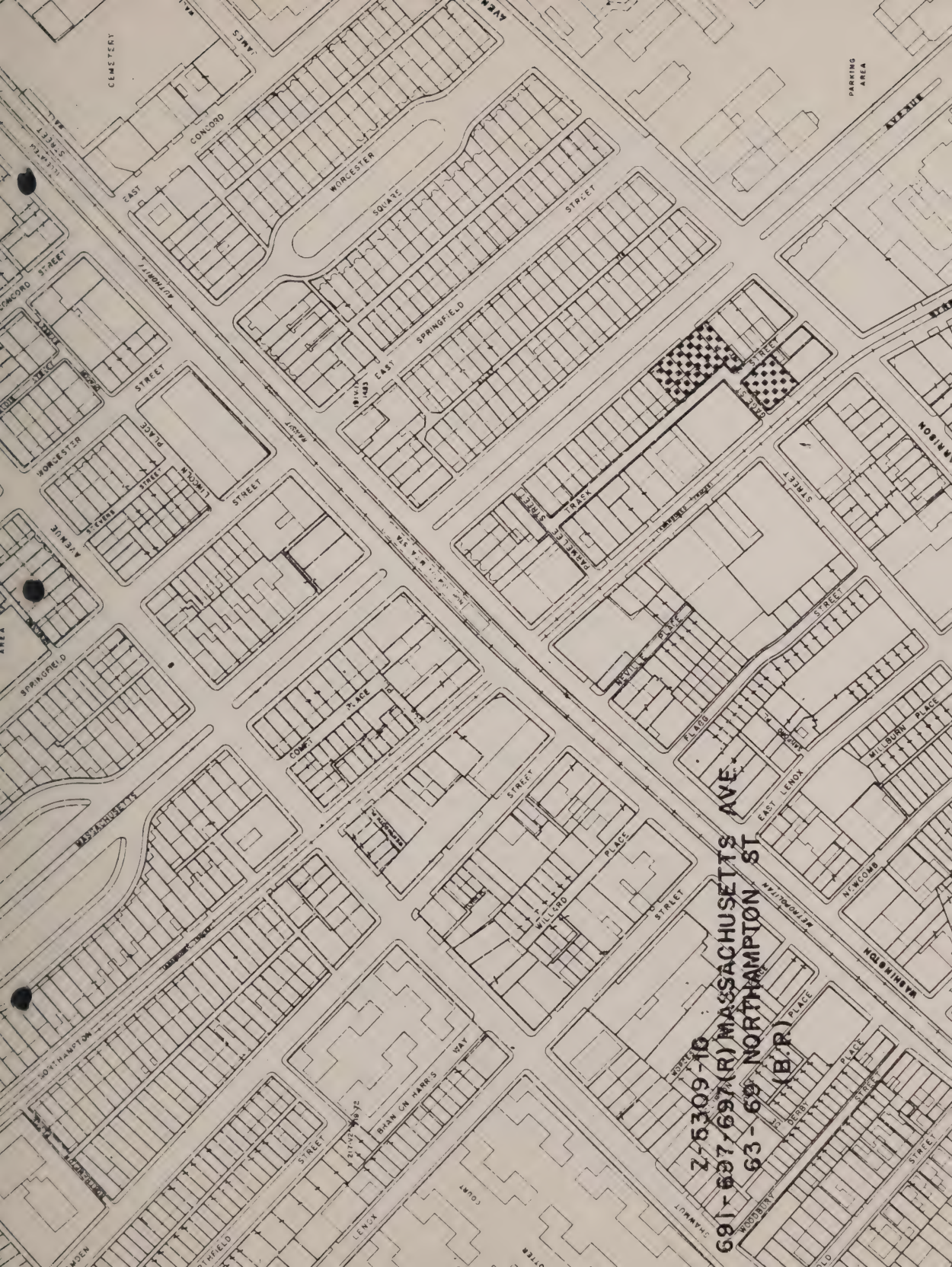
Purpose: Combine lots and continue use of premises as public parking lot for fee - 48 cars.

Violation(s):
Section

8-7 A parking lot is conditional in a restricted parking district and forbidden in an H-2 District.

Current permit expires December 31. Facility has been a convenience to neighborhood residents desiring off-street day and night parking and tends to alleviate a critical parking shortage in a high density hospital-industrial area. Recommend approval with proviso.

VOTED: In reference to Petitions Z-5309-5310,
brought by Donald Corey, Trustee, 63-69
Northampton St. & 691-697-697(r) Massachusetts
Ave., for a conditional use and a forbidden
use to combine lots and continue use of premises
as public parking lot for fee in a restricted
parking district and an Apartment (H-2) District,
the Boston Redevelopment Authority recommends
approval with proviso that the use expire on
December 31, 1983.



Z-6309-10

691-697-697(R) MASSACHUSETTS AVE.

63-69 NORTHAMPTON ST

(B.P.)

Board of Appeal Referrals

8/20/81

Z-5312

Anthony D. Cicconi
18(r) Shepard St., Brighton
near Washington St.

Hearing: 8/25/81

Two-story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.8</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy to one apartment, office building and accessory parking.

Violation(s):
Section

9-2 Change in a non-conforming use.

In 1980 Authority recommended approval of five-apartment residential occupancy; Board of Appeal concurred. Abuttor subsequently appealed decision to court; however before litigation commenced a compromise was reached. Current petition is the result. Appellant will meet with other neighbors to resolve any differences. Recommend approval with provisos.

VOTED: In reference to Petition Z-5312, brought by Anthony D. Cicconi, 18 (r) Shepard Street, Brighton, for a change in a non-conforming use for change of occupancy to one apartment, office building and accessory parking in a Residential (R-.8) District, the Boston Redevelopment Authority recommends approval with the following provisos: that office hours be limited to 9 AM - 5 PM Monday-Friday and closed Saturdays and Sundays; that adequate off-street parking be provided; that oil tank in rear yard be removed; that exhaust fan be removed; that plans be submitted for design review.



Z-6312-18R SHEPARD ST (BR)

Board of Appeal Referrals

8/20/81

Z-5315

Franklin Lodge 23 IOOF
 1a Melville Ave., Dorchester
 near Washington St.

Hearing: One-story structure.

District(s): apartment _____ general business _____ industrial _____
 residential R-.5 local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from lodge and banquet hall to office uses.

Violation(s):

Section

- 9-1 Extension of a non-conforming use.
- 9-2 Change in a non-conforming use.
- 10-1 Off-street parking not allowed within required frontyard nor within five feet of side lot line.

Building set back approximately 170 feet, will undergo extensive renovation including new mezzanine level and handicap ramp. It is anticipated offices would be rented to lawyers and other personnel of nearby Dorchester Court. Parking facilities proposed for 17 cars. Development has support of abutters and neighbors. Recommend approval with proviso.

VOTED: In reference to Petition Z-5315, brought by Franklin Lodge 23 IOOF, 1a Melville Ave., Dorchester, for an extension and a change in non-conforming use and variance for change of occupancy from lodge and banquet hall to office uses in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval with the following provisos: that adequate landscaping be provided to buffer parking and residential properties; that landscape and parking plans be submitted for design review.



2-5315
MELVILLE AVE.
(DOR.)



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SECOND CHURCH IN DORCHESTER

GIRLS' LATIN SCHOOLS

CODMAN SQUARE

TALBOT

AVENUE

AVENUE

HOPESTILL

ROAD

LYNDHURST

SEABORN

KENWOOD

MELVILLE

WASHINGTON

AVENUE

STREET

ROAD

ROSEBANK

ASPINWALL

STREET

AVENUE

TALBOT

Board of Appeal Referrals

8/20/81

Z-5316

Sebastian Martelli

108 Coleridge St., East Boston
at Short St.

Hearing: 9/1/81.

One-story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential R-.5_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Move existing three-story, three-family dwelling from Frankfort St. and relocate on site.

Violation(s):

Section

- 8-7 Three family dwelling is forbidden in an R-.5 District.
- 14-1 Lot area is insufficient.
- 16-1 Number of stories is excessive.
- 20-1 Rear yard is insufficient.

Existing concrete block structure containing approximately 13 garage stalls will be demolished.

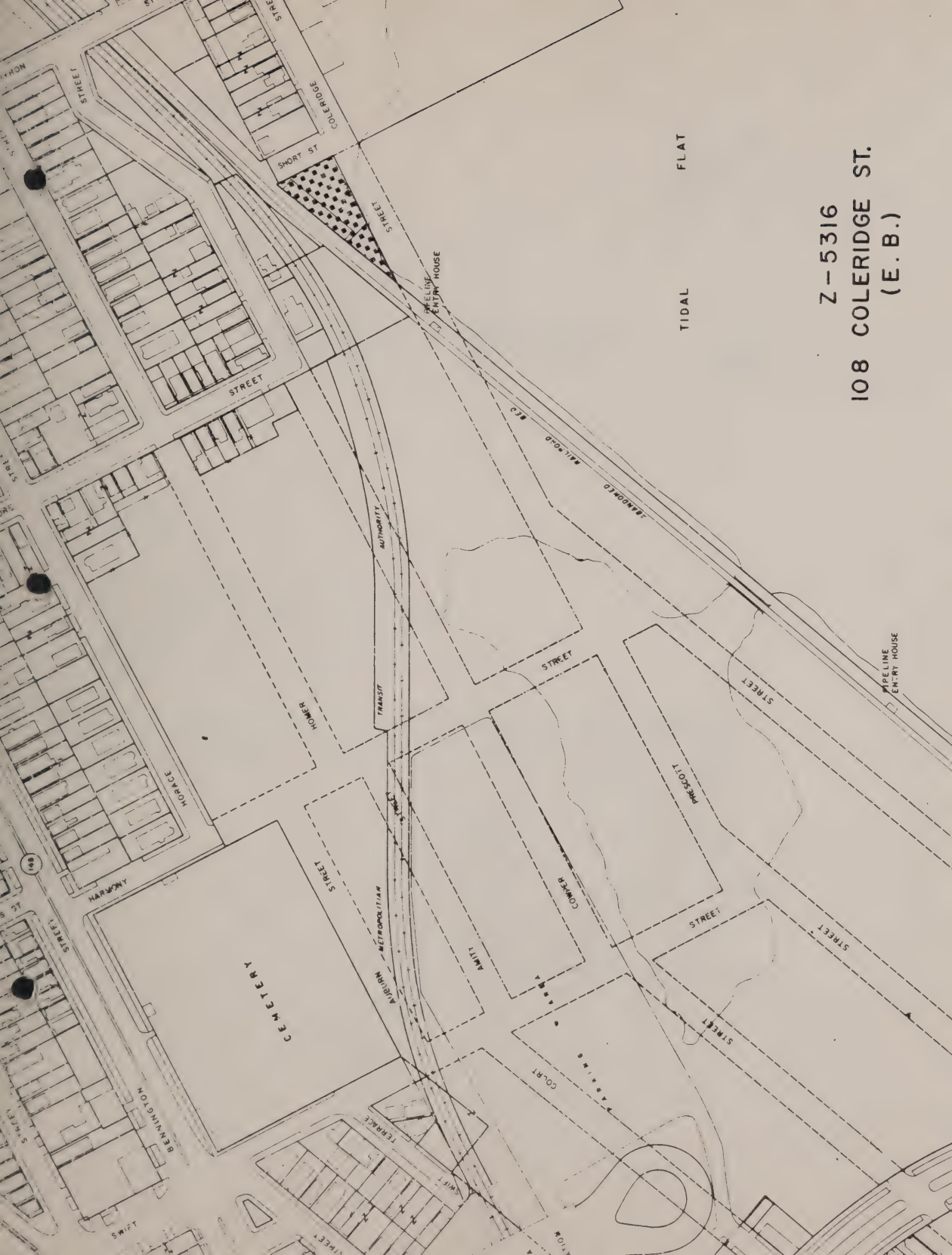
Dwelling, presently located at 415 Frankfort Street, immediately abuts Wood Island MBTA Station.

Occupancy is consistent with three family dwellings, diagonally opposite site, relocated on Coleridge Street by Massport in 1978-79.

Recommend approval with proviso.

VOTED: In reference to Petition Z-5316, brought by Sebastian Martelli, 108 Coleridge St., East Boston, for a forbidden use and three variances to relocate existing three-story three family dwelling on site in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval provided landscaping plans are submitted for design review. Existing concrete structure containing approximately 13 garage stalls will be demolished. Dwelling presently located at 415 Frankfort Street abuts Wood Island MBTA Station. Occupancy is consistent with three family dwellings, diagonally opposite site, relocated on Coleridge Street by Massport in 1978-79.

TIDAL FLAT



Board of Appeal Referrals

8/20/81

Hearing: 9/1/81

10
Z-5317-5318
Joseph V. Saia, Jr.
681-683 East Fourth St.,
South Boston at K St.

2 1/2 story structure.

District(s): apartment H-1-50 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Subdivide.

Violation(s):
Section

- 14-1 Lot area is insufficient.
- 14-3 Lot width is insufficient.
- 14-4 Street frontage is insufficient.
- 15-1 Floor area ratio is excessive.
- 17-1 Open space is insufficient.
- 19-1 Side yard is insufficient.

Proposal would subdivide existing duplex structure and allow sale as two-family dwellings. Local residents have expressed interest as owner occupants. Violations technical with no adverse impact. Abutters and community groups favor petition. Recommend approval.

VOTED: In reference to Petitions Z-5317-5318, brought by Joseph V. Saia, Jr., 681-683 East Fourth St., South Boston, for ten variances to subdivide land in an Apartment (H-1-50) District, the Boston Redevelopment Authority recommends approval. Subdivision of existing duplex structure would allow sale as two family dwellings. Local residents have expressed interest as owner-occupants. Violations technical with no adverse impact.



EMERSON

SOUTH BOSTON
BRANCH
BOSTON PUBLIC
LIBRARY

BROADWAY

EAST

SOUTH BOSTON
MUNICIPAL
BUILDING

NEW ENGLAND
TELEPHONE
COMPANY

FOURTH

EAST

FIFTH

GATE
OF
HEAVEN
EL. B.
HIGH
SCHOOL
(I.R.C.)

GATE
OF
HEAVEN
CHURCH
(I.R.C.)

THOMAS
HART
GRAINGER
SCHOOL

BENJAMIN
DEAN
SCHOOL
(I.R.C.)

MINNIE

STREET

ST PETER
SCHOOL
(I.R.C.)

EAST

SIXTH

BURNELL
PLACE

STREET

STREET

SEVENTH

STREET

EAST

EIGHT

MASS 2-30

WM.
FOLGER'S
ARTS
BOSTON HOUSING
AUTHORITY

STREET

ROAD

MARINE

ROAD

Z-5317-18
681-83 EAST FOURTH ST
(S.B.)

Board of Appeal Referrals 8/20/81

Hearing: 8/25/81

11
Z-5321
Ashmont Manor Inc.
45 Coffey St. Dorchester
near Neponset Ave.

One-story structure.

District(s): apartment _____ general business _____ industrial _____
residential R-.5 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect one-story addition to nursing home.

Violation(s):
Section

9-1. Extension of a non-conforming use.

Rear extension will provide additional living space for existing patients to comply with state requirements. Patient-bed capacity will not be increased. Neighbors and abutters reaction favorable. Recommend approval.

VOTED: In reference to Petition Z-5321, brought by Ashmont Manor, Inc., 45 Coffey St., Dorchester, for an extension of a non-conforming use to erect a one-story addition to a nursing home in a Residential R-.5 District, the Boston Redevelopment Authority recommends approval. Extension will provide additional living space for existing patients to comply with state requirements. Patient-bed capacity will not be increased.



Z-5321
45 COFFEY ST.
(DOR.)

Board of Appeal Referrals

8/20/81

Z-5328

FPC Properties, Inc.

25 Northern Avenue, Boston
at Sleeper St.

Hearing: 9/1/81.

284,200 square feet of land.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing <u>M-4</u>

Purpose: Use premises for parking of 773 vehicles for fee.

Violation(s):

Section

8-7 Parking lot is conditional in a restricted parking district.

Approximately 700 commuter cars are parking free every working day on this property. Petition would control and charge fee for parking. Recommend approval with provisos.

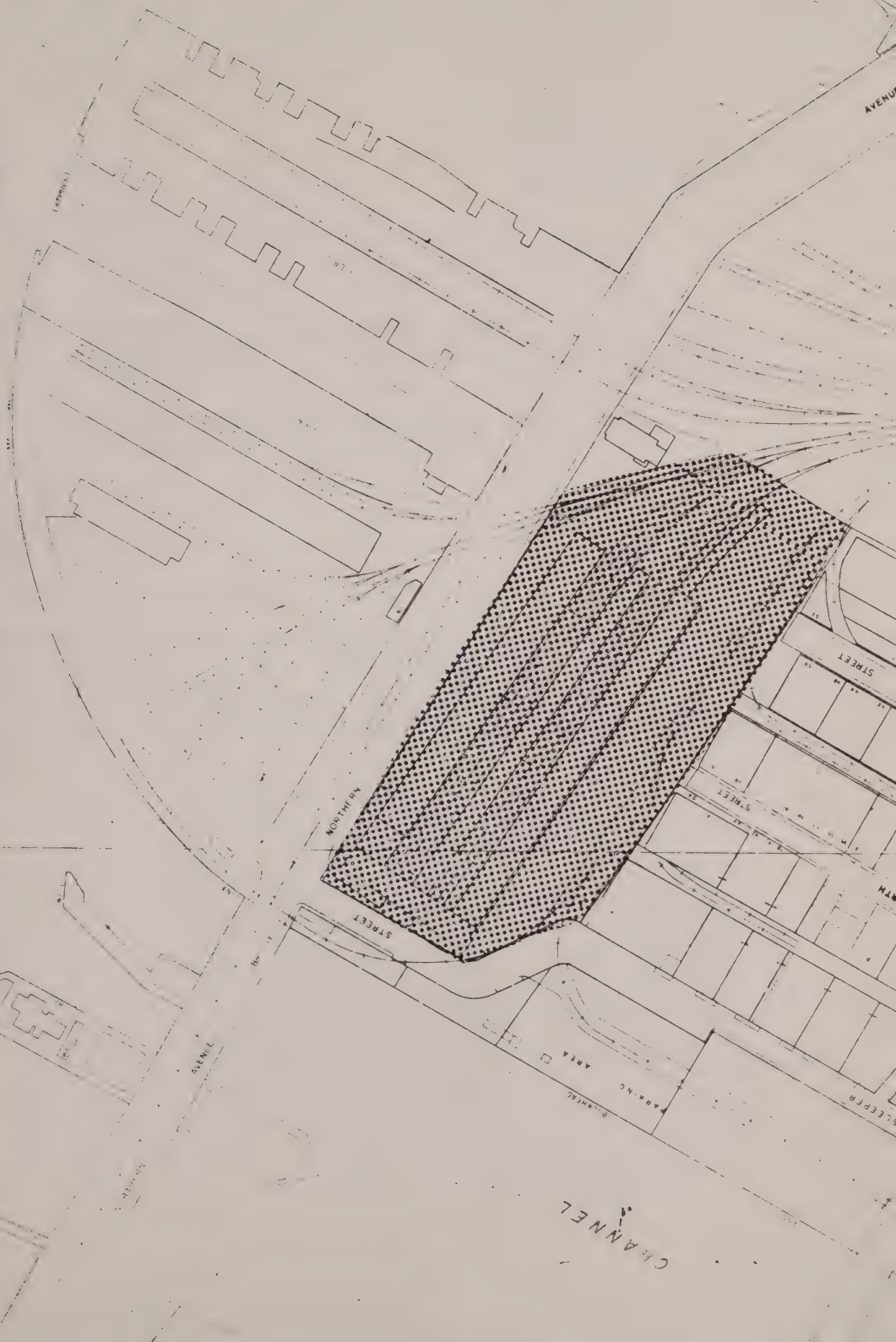
VOTED: In reference to Petition Z-5328, brought by FPC Properties Inc., 24 Northern Ave., Boston, for a conditional use for use of premises for parking of 773 vehicles for fee in a Manufacturing (M-4) Restricted Parking District, the Boston Redevelopment Authority recommends approval with the following provisos:

- 1) that the use terminate September 30, 1983, and petitioner prepare permanent development plans during this period.
- 2) that the lot be limited to 700 spaces and design/circulation plans be submitted to the Authority for design review.
- 3) all of the contiguous CC&F land not part of the lot be fenced or otherwise buffered to prevent access by those wishing to park without cost.
- 4) spaces closest to Sleeper Street shall be reserved, in relation to the parking demand, for the convenience of area businesses and institutions.

- 5) that space be made available for temporary storage of tour and charter buses at a rate similar to that applied to an equivalent number of regular parking spaces.
- 6) all day parking rates are to be at least \$2.00 and monthly leases at least \$35.00 per space.
- 7) that petitioner be subject to additional City of Boston real estate taxes in relation to the parking income.
- 8) that the proposed lot and conditions of operation be reviewed annually by the Board of Appeal for acceptability.

Z-5328

25 NORTHERN AVE
(B.P.)



Board of Appeal Referrals 8/20/81

Z-5331

James R. Powers
220 Dorchester Ave., So. Boston
at West Fifth St.

Hearing: 9/1/81

One-story structure.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-1

Purpose: Change occupancy from doughnut shop to doughnut shop and
delicatessen; erect one-story addition.

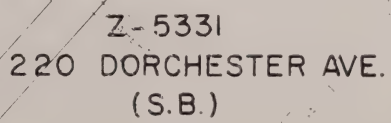
Violation(s):
Section

18-4 Front yard is insufficient.

This busy operation abuts a branch bank and is across street from MBTA staff entrance to Cabot Yards. At peak periods traffic becomes congested creating considerable curb parking demands.

Existing twenty off-street spaces cannot accommodate present parking needs and proposed extension. Additional parking must be provided. Recommend denial as submitted.

VOTED: In reference to Petition Z-5331, brought by James R. Powers, 220 Dorchester Ave., South Boston, for a variance for change of occupancy from doughnut shop to doughnut shop & delicatessen and erect one-story addition in a Manufacturing (M-1) District, the Boston Redevelopment Authority recommends denial as submitted. This busy operation abuts a branch bank and is across street from MBTA staff entrance to Cabot Yards. At peak periods traffic becomes congested creating considerable curb parking demands. Existing twenty off-street spaces cannot accommodate present parking needs and extension. Proposal could be supported with additional off-street parking.



Board of Appeal Referrals

8/20/81

Z-5332

Gino's Inc.

280 West Broadway, South Boston
at D Street

Hearing: 8/25/81.

Vacant land.

District(s): apartment _____ general business B-1 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect one-story restaurant with take-out service.

Violation(s):
Section

8-7. Drive-in restaurant is conditional in a B-1 District.

"Burger King" facility will replace a "Gino's" franchise destroyed by fire. Site is not maintained and presently accommodates indiscriminate off-street parking. Restaurant will provide approximately 70 jobs for neighborhood residents. Community supports. Recommend approval with proviso.

VOTED: In reference to Petition Z-5332, brought by Gino's Inc. 280 West Broadway, South Boston, for a conditional use to erect a one story restaurant with take-out service in a General Business (B-1) District, the Boston Redevelopment Authority recommends approval provided plans inclusive of parking, circulation, lighting, landscaping are submitted for design review. "Burger King" facility will replace a "Gino's" franchise destroyed by fire. Site is not maintained and presently accommodates indiscriminate off-street parking. Approximately 70 jobs will be provided for neighborhood residents.

Z-5332
280 WEST BROADWAY
(S.B.)



Board of Appeal Referrals 8/20/81.

Hearing: 9/1/81.

Z-5335
Church of St. Augustine & St. Martin
29 Lenox St., Boston
near Washington St.

Two-story structure.

District(s):	apartment <u>H-2</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

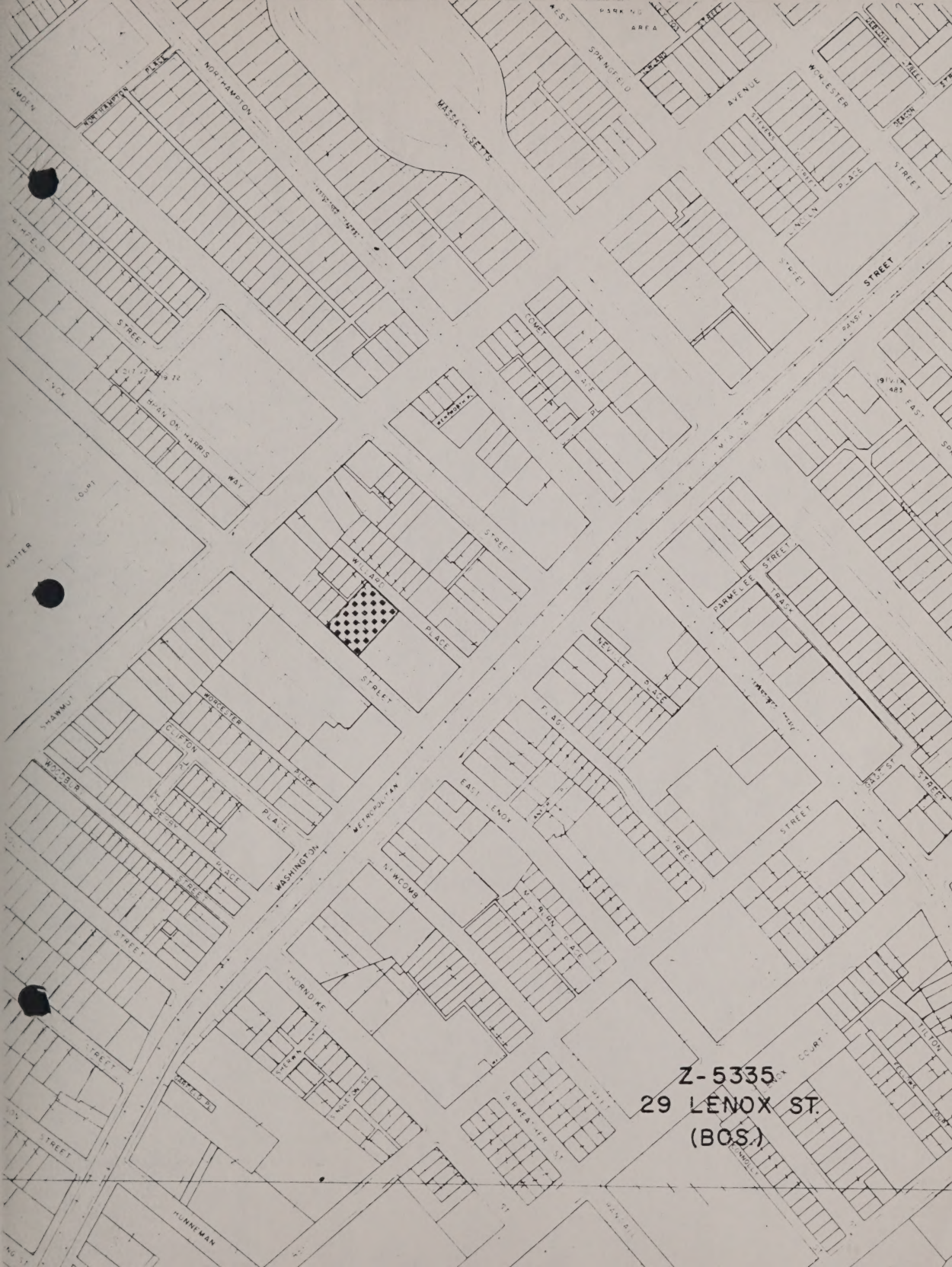
Purpose: Change occupancy from church to church and community center with day care facilities for 72 children.

Violation(s):
Section

8-7. Day care center for 72 children is conditional in an H-2 District.

Facility will provide space for federally funded 72 children St. James Headstart, an educational program for low income pre-kindergarten children and their families. Program, which has served the neighborhood for past sixteen years at a nearby location, is an important community resource supported by church congregation and its neighbors. Recommend approval.

VOTED: In reference to Petition Z-5335, brought by Church of St. Augustine & St. Martin, 29 Lenox St., Boston, for a conditional use for change of occupancy from church to church and community center with day care facilities for 72 children in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval. Facility will provide space for federally funded 72 children St. James Headstart, an educational program for low income pre-kindergarten children and their families. Program, which has served the neighborhood for past sixteen years at a nearby location, is an important community resource supported by church congregation and its neighbors.



Z-5335
29 LENOX ST.
(BOS)